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Libya's Transition: Towards Collapse

Wolfram Lacher

Escalating power struggles are driving Libya's transitional process towards collapse. Under the rallying cry of fighting terrorism, disparate political forces are seeking to suspend the transitional framework. They have no viable alternative to offer. External actors have insufficient influence to successfully mediate among the conflicting parties – but sufficient influence to complicate matters further. Western governments' ambiguous signals partly reflect a serious miscalculation: the expectation that the political forces supporting renegade general Khalifa Haftar can succeed in establishing a new transitional framework and stabilize the country.

With the campaign renegade general Khalifa Haftar has led since May 16, Libya's political crisis has reached a new climax. Without orders from Tripoli, forces drawn from army units and militias associated with the federalist movement began attacking Islamist militias in Benghazi, whom they hold responsible for a wave of assassinations targeting the city's security forces. Separately, a group of militias affiliated with the town of Zintan attacked the seat of the General National Congress (GNC, the transitional legislature) in Tripoli, preventing a vote on the formation of a new government under Ahmed Maiteg to replace that of Abdallah al-Thinni. Both Haftar and leading Zintani army officers issued statements in the name of an undefined army leadership, declaring the GNC as suspended. Haftar has since announced he wants to charge the Supreme Judicial Council (a body of judges) with forming an emergency government until new elections.

Under the banner of "fighting terrorism", these moves have prompted an array of political and military figures, army units, and militias to declare their support for the campaign, named "Operation Dignity". Although some have also declared allegiance to the rebel "army leadership", many pointedly did not mention Haftar. The general is a controversial figure due to his past role in Muammar al-Qaddafi's army; his widely assumed cooperation with US intelligence after his defection in 1987; and his obvious personal ambitions. Backing is coming mainly from Zintan, the north-east, and from communities in western and southern Libya that had not supported the 2011 revolution. Army officers from western revolutionary strongholds, as well as the bulk of former revolutionary forces now nominally

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under government authority, have largely rejected the moves or refused to take sides.

Tripoli, Benghazi, and other cities have seen large demonstrations in support of "fighting terrorism". In Tripoli, the crowd's demands have focused on the establishment of state security institutions and largely ignored Haftar. In the east, backing for Haftar is more explicit, though Benghazi has also seen mobilization against the campaign. Haftar himself has interpreted these demonstrations as providing him with a popular mandate. His spokesman has threatened military officers who do not support the campaign with "legal measures". A Zintani militia leader has declared the GNC a legitimate target and vowed to attack the body again.

Around half of the GNC's members – sources vary between 93 and 95 – defied these threats on May 25, and with a majority of 83 confirmed the Maiteg government in office, thereby further deepening the crisis. The legality of the vote is fiercely contested. In sum, two major rifts have emerged: an open split in the fragile command structures linking government institutions to armed factions; and a split over the legitimacy of the transitional institutions – the GNC and the Maiteg government. These rifts have the potential to cause the transitional process to collapse. Precisely that appears to be the objective of the campaign's political leaders.

A destructive political game

The current escalation did not come out of nowhere. The transitional institutions had entered a deep crisis of legitimacy as rival factions within the GNC and the government remained deadlocked over the past year, seemingly oblivious to the steadily deteriorating security situation. The deadlock owed much to the passing of the Political Isolation Law in May 2013, which closed off the political game and state institutions to figures who had held responsibility under Qaddafi. Political forces weakened by the law soon began blocking the political process, and then waged an – ultimately successful – campaign for new elections. For the latter, they received broad support from a public frustrated with endless infighting within the GNC.

Election preparations for a new legislature are ongoing. While they appeared likely to take place in August, recent events led the electoral commission to announce that they will be held in the second half of June. So why now a military campaign to suspend the GNC by force and redefine the parameters of the transition – at the risk of splitting the country's institutions? The Isolation Law is a big part of the explanation. The political interests represented by Haftar and the Zintani brigades apparently calculate that suspending the GNC by force, and handing executive authority to an unelected emergency body, would provide an opportunity to cancel the law. Haftar himself falls under the law's criteria, as do the leader of Zintan's Qaqa Brigade, Uthman Mliqta, and the leading figure behind the GNC's formerly strongest bloc – the now fragmented National Forces Alliance – Mahmoud Jibril.

Suspending the transitional institutions would also allow for a fresh start in the security sector, where members of Qaddafi-era army units and security institutions are outpowered by units that emerged from revolutionary brigades. Haftar has invested much of the past two years in mobilizing support among disgruntled army officers, particularly in the east. However, the plan to suspend institutions by force and start on a basis defined by a rebel military leadership has no realistic chance of succeeding. Opposition is too broad-based. The current campaign possibly seeks to build up sufficient pressure to negotiate an amendment to the Isolation Law ahead of the elections. But here again, the prospects for success are slim: such an amendment would have to be negotiated in and adopted by the GNC, or at the least obtain its buy-in. The GNC, in turn, has largely forfeited its legitimacy. Consequently, there is currently no broadly accepted framework for adopting an

amended law. The rebels' strategy is leading into a dead end: towards the collapse of the transitional process.

Disparate interests

Political manoeuvring over the Isolation Law and the next elections alone does not explain the widespread support Haftar and the Zintani militias were able to mobilize. They have placed themselves at the head of a loose coalition of disparate interests.

In the international media, this coalition has been almost uniformly described as "anti-Islamist", and their adversaries as Islamists. This is misleading. Only in Benghazi and the north-east does the conflict between jihadi groups and members of the old security institutions play a decisive role in the current struggle. Admittedly, the rebels have been gaining much sympathy among a public outraged over the wave of assassinations in Benghazi (the perpetrators of which remain unknown), over the rise of jihadi movements, and the authorities' lack of action. Haftar and Zintani brigades have successfully exploited such popular indignation to target their political adversaries. Media outlets associated with the rebels have collectively demonized all Islamist movements, and Haftar has vowed to "cleanse Libya of the Muslim Brotherhood".

The forces that have joined Haftar's bandwagon have diverse objectives. For many in the eastern federalist movement, the collapse of the political process in Tripoli would be a major boon: the absence of a legitimate national government would give them leeway to advance their agenda. Part of the rationale for the action by Zintani militias certainly was the short-term goal to prevent the formation of the Maiteg government, which they are not part of. For politically marginalized constituencies in the west and south, joining Operation Dignity is about challenging a balance of power in which revolutionary forces dominate. In the west, the dividing line of support for and opposition to Operation Dignity is now running between individual tribes and cities, much as it did during the revolution.

Likewise, the rebels' adversaries cannot be reduced to Islamists. They too are a disparate group of forces, united by a revolutionary agenda of excluding Qaddafi-era elites and building a new security sector around the former revolutionary brigades. In the east, this description now boils down essentially to Islamist-leaning militias and their supporters – some of which have points of contact with jihadi groups such as Ansar al-Sharia. But elsewhere, the revolutionary camp includes not only Islamist movements from the Muslim Brotherhood to jihadi factions, but also the former exiled opposition and groups defined by local loyalties – by their communities' revolutionary struggle – such as political forces associated with Misrata and the Amazigh minority.

Compromise or collapse

While rejecting the actions by Haftar and Zintani militias, many actors in the revolutionary camp have refused to respond in kind, deciding against deployment to Tripoli to confront Zintani groups. But hard-line factions in Benghazi and Tripoli have clashed with Haftar's and Zintani forces and are mobilizing to fight what some call a counter-revolutionary coup, and what jihadi factions describe as a "war against Islam". In Benghazi, Haftar's designation of all Islamists as "terrorists" is pushing more moderate militias into a closer alliance with Ansar al-Sharia.

Since the parties to the conflict cannot expect military advantages from open confrontation, all-out civil war is unlikely. But the radical fringes have an interest in provoking civilian casualties, as long as they can blame their adversaries. This means that assassination campaigns could accelerate and spread to Tripoli. Equally worrying is the use of tactics such as indirect shelling, accompanied by disinformation about its origins.

More difficult than preventing civil war will be avoiding the collapse of the

transition. A compromise proposed by the Thinni government would have caused much of the support for Operation Dignity to dissipate: the GNC would go into recess after adopting the 2014 budget, ending its attempts to form a new government before the June elections. By confirming the Maiteg government, the GNC's revolutionary camp has rebuffed this option and made compromise much more difficult.

A further escalation of the tensions over the government and the GNC may make the holding of elections in June impossible. But even if a compromise is eventually found, the transitional process will remain at acute risk of collapse. The June elections are unlikely to solve the crisis of legitimacy. Registration of both voters and candidates has been weak, reflecting a general loss of confidence in the formal political process. The new context will further complicate matters. Amid heightened tensions, armed factions could interfere in the elections to promote their political allies. Parts of the rebel coalition may seek to prevent voting in their local strongholds. The likely result will be a legislature whose legitimacy is widely contested from the beginning.

The outlook

Current struggles mark the end of a broadly recognized transitional framework in Libya. One institution remains largely untainted by these struggles: the Constituent Committee, although it was elected only by a sixth of eligible voters and is boycotted by the Amazigh. But whether a draft constitution can be adopted by an interim legislature and a referendum will depend on whether a modicum of national unity can be preserved.

The markedly different dynamics in the country's east and west mean that this is increasingly unlikely. The open shift of allegiance from the Chief of General Staff in Tripoli to Haftar's "Supreme Military Council" has been particularly widespread in the east. The federalist movement will support any initiative that establishes a rival government in the east. With the contested election of the Maiteg government, the formation of a parallel government has become much more realistic. Given the rifts within the east, such a government would not be able to consolidate power in the region – but it may have enough support to spell the end of a broadly recognized government in Tripoli.

Could a national dialogue initiative help re-establish a consensus over the framework for the transitional process? Possibly. But the obstacles to such an initiative are formidable: disputes over who should convene such a dialogue and who should attend are likely to cause the process to fail before it even begins. (There are several existing initiatives, none of which can claim broad acceptance.) Moreover, even a dialogue initiative with broad buy-in would be unlikely to pacify the power struggles that have brought Libya to this point. These are protracted struggles over the control of state institutions, the security sector, and economic assets that will not be resolved in conference rooms.

Foreign governments are now appointing special envoys seeking to mediate among Libya's political forces. Their ability to influence the actors in Libya's political theatre is negligible. Mixed signals have complicated matters, such as the US Ambassador to Libya's refusal to clearly condemn Haftar's campaign. Clear messages should be sent to those actors deliberately seeking to suspend the transitional framework, who have interpreted such ambiguous positions as an encouragement. Beyond this, external involvement is likely to tarnish any initiative for political dialogue. Suspicion of external actors – including international institutions – has steadily increased over the past two years, driven by incessant rumours and conspiracy theories. Any actor wishing to damage the dialogue process will find an easy means of doing so by pointing to the role of international actors. Only a genuinely Libyan process has any chance of succeeding, however slim.

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